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Revision 1

To the four Congressional leaders
and Chairmen and Vice Chairmen of
oversight committees from DCI.

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The process by which CIA reports to Congress and Congress exercises oversight needs a careful review by the principals. To help on this, I write this to outline existing problems, as we perceive them, and make some suggestions for improving procedures. All of us want to foster a relationship in which we are comfortable and able to concentrate on improving the capabilities and performance of the Intelligence Community.

There are two enduring truths on which we can all agree:

-- Oversight is essential to all involved; it is in the interest of CIA, as well as Congress.

-- The need for protection of our operations and information is fundamental to our continued effectiveness.

The problems in the oversight process center almost exclusively around covert action programs--and particularly on those programs that are contentious from a foreign policy perspective, such as the Central American program. The Directorate of Intelligence provides substantive briefings--currently at the rate of about 40 a month--with almost no ripples. The politically controversial covert action programs aside, the budget authorization and appropriation process is working smoothly. So far this calendar year, presentations for the HPSCI, the SSCI and the two appropriations committees on the FY 1985 CIA budget have involved at least 36 formal meetings and briefings by the Agency Comptroller and his staff. It is only when the subject turns to particular covert action programs that concerns about the legality and effectiveness of our activities get tangled up with attitudes about the underlying policy decisions made by the President, and suspicions, public statements, and harmful disclosures begin to cloud the atmosphere. In short, the process tends to become adversarial. We must overcome this.

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The adversarial nature of this process in the last few weeks has had a very destructive impact on us. The plethora of demands from a wide array of members and staffers creates opportunities for confusion and contradiction. The emphasis on speed in responding to these demands may cause us to overlook important factors. The hostile tone of the questions and charges feeds concern here that information sought is for harassment. There have been instances where Agency personnel have been pressed by Congress for information involving decisions not yet made in the Executive Branch; this is inappropriate.

The key to overcoming our present difficulties is establishing mutual trust, so we can discuss real issues dispassionately and focus on important questions, not minutiae. I am convinced the Congress believes that the intelligence functions we perform are necessary services to the country, and I am anxious to remove the procedural difficulties that are interfering with our ability to carry out our mission by undermining that climate of trust.

There can be no doubt that the Agency has provided more information in a more regular and timely manner on Central American matters than on any previous special activity. There have been occasions where, in retrospect, more timely and detailed information should have been provided. But no one can validly say there has been any intent or desire on our part to conceal or withhold information from the oversight process. Information has been provided in the manner which had evolved since the enactment of oversight legislation and which had been followed and deemed acceptable on the Nicaraguan finding for over two years; namely, we brief on the finding, our respective staffs request and engage in briefings and exchange questions and answers when and as they wish, the Committees call for a review every two months or so while Congress is in session, we provide an overview of developments

since the previous review and have those intimately involved in the program on hand to answer questions. That process has been adhered to faithfully. The Committees now feel the need to improve the process and we are working on that with your staffs, the White House and NSC staffs, and staffs of other interested Departments in the Executive Branch. Meanwhile, we are alert to the needs you have expressed. Please be assured that I and all of us are and always have been sincere in our commitment to keep the oversight committees fully and currently informed. Our records on past exchanges are being centralized so we can ensure accuracy and consistency. Our chain of command for responding to Congressional needs is being strengthened. All employees are being reminded forcefully of their moral, as well as legal, obligations to give Congress the information it needs to carry out its responsibilities effectively--to provide full and frank answers to questions and to address the important issues whether or not specific questions are asked. We are also working with staff members to develop an agreement on procedures for reporting to them on covert action programs.

Because of the particular Congressional concern about Central America and the lack of bipartisan consensus on this matter, I want to make an extra effort to keep you appropriately informed on this topic. I would like to establish a regular schedule of periodic briefings for the HPSCI and SSCI staffs; a biweekly briefing should be enough to ensure that nothing falls between the cracks, but we will do it more or less frequently as you desire. We will use these briefings to keep the staffs informed of developments. We will also, of course, continue to brief the committees, as well, as you request.

If we are to restore a constructive oversight relationship, however, we need your help as well. Fundamentally, we need enough time to provide accurate, thoughtful answers to your questions. We need to be able to retain transcripts so we can respond to questions that cite our earlier remarks. We need to be told in advance what the key issues will be, not confronted with surprises when we appear. We need to be permitted to deliver our briefings without being deflected by questions that lead us away from the main points. Effective procedures on your part are needed to ensure that staff demands on us are not redundant or frivolous. We have received 962 budget and program-related questions from HPSCI, the SSCI, and the House Appropriations Committee in the past two months alone--a rate about triple that of last year. A reduction in the number of staffers with access to sensitive information, particularly on the SSCI staff, would greatly facilitate our ability to deal frankly with them and inject some continuity into the relationship.

I intend this as the beginning of a dialogue, not the end. We would welcome suggestions from you or your staffers on other changes we could make that would facilitate the process. The Agency and the Congress have a mutual interest in developing and maintaining a constructive relationship; if we cannot speak frankly about our various views of the causes of our problems, we can have no realistic expectation of alleviating or solving them.